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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

Lamont B. Simmons,  
Melissa R. Simmons

Plaintiffs,

- against -

Roundup Funding, LLC,  
Malen & Associates, P.C.

Defendants.

08-CV-6263

*(SCR)*

FILED  
U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
SEP 15 2008

**MOTION TO ADMIT COUNSEL  
PRO HAC VICE**

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, Paul Mahler, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission pro hac vice of

LINH K. TRAN  
Roundup Funding, LLC  
2101 Fourth Ave  
Seattle, WA 98121  
Phone: (206) 239-1989  
Fax: (206) 239-1958

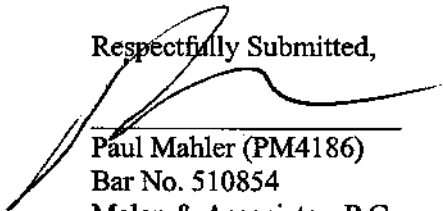
LINH K. TRAN is a member in good standing of the Bar of the states of Washington and California.

There are no pending disciplinary proceedings against LINH K. TRAN in any State or Federal Court.

Dated this 10th day of September, 2008

In the city of Westbury, New York

Respectfully Submitted,



Paul Mahler (PM4186)  
Bar No. 510854  
Malen & Associates, P.C.  
123 Frost Street  
Westbury, NY 11590  
(516) 479-5951

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**AFFIDAVIT OF PAUL MAHLER  
IN SUPORT OF MOTION  
TO ADMIT COUNSEL  
PRO HAC VICE**

State of New York     )  
                                  )  
County of Nassau     )     ss:

I, Paul Mahler, being duly sworn, hereby deposes and says as follows:

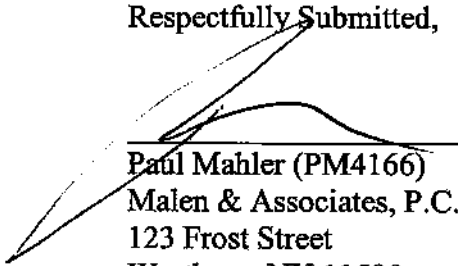
1. I am an associate at Malen & Associates, P.C., counsel for Defendant Malen & Associates, p.c. in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Defendant's motion to admit Linh K. Tran as counsel pro hac vice to represent Defendant in this matter.
2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in January, 1997. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.
3. I have known Linh Tran since October, 2006.
4. Linh K. Tran is the associate general counsel for Roundup Funding, LLC
5. I have found Linh K. Tran to be a skilled attorney and a person of integrity. She is experienced in Federal practice and is familiar with the Federal Rules of Procedure.
6. Accordingly, I am pleased to move the admission of Linh K. Tran, pro hac vice.
7. I respectfully submit a proposed order granting the admission of Linh K. Tran, pro hac vice, which is attached hereto as Exhibit A.

WHEREFORE it is respectfully requested that the motion to admit Linh K. Tran, pro hac vice, to represent Defendant in the above captioned matter, be granted.

Dated this 10th day of September, 2008.

Westbury, New York

Respectfully Submitted,



Paul Mahler (PM4166)  
Malen & Associates, P.C.  
123 Frost Street  
Westbury, NY 11590  
(516) 479-5951

Subscribed and sworn to before me on this 10th day of September, 2008.



Notary Public

**KELLYANN FERRARO**  
Notary Public, State of New York  
No. 01FE6099005  
Qualified in Nassau County  
Commission Expires September 22, 2011

# IN THE SUPREME COURT OF THE STATE OF WASHINGTON

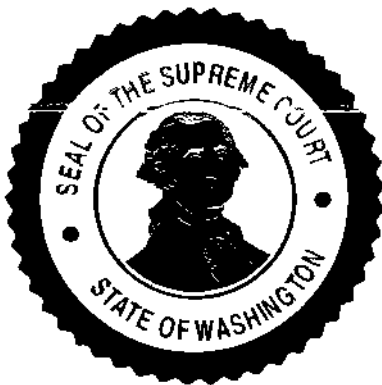
|   |   |                            |
|---|---|----------------------------|
| IN THE MATTER OF THE ADMISSION          | ) | BAR NO. 33885              |
|   | ) |                            |
| OF                                      | ) | <b>CERTIFICATE OF GOOD</b> |
|   | ) |                            |
| LINH K. TRAN                            | ) | <b>STANDING</b>            |
|   | ) |                            |
| TO PRACTICE IN THE COURTS OF THIS STATE | ) |                            |
|   | ) |                            |

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I, Ronald R. Carpenter, Clerk of the Supreme Court of the State of Washington, hereby certify

LINH K. TRAN

was regularly admitted to practice as an Attorney and Counselor at Law in the Supreme Court and all the Courts of the State of Washington on July 21, 2003, and is now and has continuously since that date been an attorney in good standing, and has a current status of active.



IN TESTIMONY WHEREOF, I have  
hereunto set my hand and affixed  
the seal of said Court this 26th day of  
August, 2008.

Ronald R. Carpenter  
Supreme Court Clerk  
Washington State Supreme Court



## Supreme Court of California

FREDERICK K. OHLRICH

*Clerk of the Court*

### CERTIFICATE OF THE CLERK OF THE SUPREME COURT

OF THE

STATE OF CALIFORNIA

**LINH KIET TRAN**

*I, FREDERICK K. OHLRICH, Clerk of the Supreme Court of the State of California, do hereby certify that **LINH KIET TRAN** was on the 24th day of April 2003, duly admitted to practice as an attorney and counselor at law in all the courts of this state; and that his/her name now appears on the Roll of Attorneys as a member of the bar of this state in good standing.*

*Witness my hand and the seal of the court,  
this 25th day of August, 2008.*

**FREDERICK K. OHLRICH**

*Clerk of the Supreme Court*

By

A handwritten signature in cursive script, appearing to read "Joseph Cornetta", written over a horizontal line.

*Joseph Cornetta, Deputy Clerk*

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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Melissa R. Simmons

Plaintiffs,

08-CV-6263

- against -

Roundup Funding, LLC,  
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**PROOF OF SERVICE**

Defendants.

I, the undersigned whose address appears below, certify:

That I am and at all times hereinafter mentioned was, more than 18 years of age;

That on the 11th day of September, 2008, I served a true and correct copy of the

**MOTION TO ADMIT COUNSEL PRO HAC VICE**

Via USPS mail, postage prepaid to the following parties:

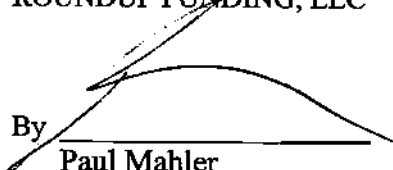
|  |  |
|--|--|
| Shmuel B. Klein<br>Law Office of Shmuel Klein, PC<br>268 Route 59 W<br>Spring Valley, NY 10977 |  |
|--|--|

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF NEW YORK THAT THE FOREGOING IS TRUE AND CORRECT.

DATED this 11th day of September, 2008.

ROUNDUP FUNDING, LLC

By

  
Paul Mahler  
123 Frost Street  
Westbury, NY 11590